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Attorneys for Defendant  
PRUDENTIAL INSURANCE  
COMPANY OF AMERICA

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

KAREN WALSH,

Plaintiff,

v.

PRUDENTIAL INSURANCE COMPANY  
OF AMERICA,

Defendant.

Case No.: C06-04028 WHA AD

**STIPULATION TO CONTINUE THE  
DATE FOR FILING MOTION FOR  
SUMMARY JUDGMENT RE STANDARD  
OF REVIEW AND ~~PROPOSED~~ ORDER**

STIPULATION TO CONTINUE FILING DATE OF MOTION FOR SUMMARY JUDGMENT RE STANDARD  
OF REVIEW

USDC NDCA NO. C06-04028 WHA AD  
249270.1

1 WHEREAS, the Court conducted a Case Management Conference on September 28, 2006,  
2 at which time the Court set November 2, 2006 as the date for Defendant Prudential Insurance  
3 Company of American ("Prudential") to file a motion for summary judgment as to the  
4 appropriate standard of review in this ERISA matter;

5 WHEREAS, Prudential has filed the administrative Record supported by the requisite  
6 declaration;

7 WHEREAS, the parties have set November 7, 2006, to conduct a private mediation, in  
8 compliance with this Court's order to conclude mediation by November 30, 2006;

9 THE PARTIES HEREBY STIPULATE that Prudential shall have an additional 14 days  
10 to file a motion for summary judgment on the standard of review, should mediation not be  
11 successful. Said motion shall be filed on or before November 16, 2006.

12 **SO STIPULATED:**

13 Date: November 3, 2006

LAW OFFICES OF TONY ARJO

15 By: \_\_\_\_\_

16 TONY ARJO  
Attorney for Plaintiff  
KAREN WALSH

18 Date: November \_\_, 2006

WILSON, ELSER, MOSKOWITZ,  
EDELMAN & DICKER LLP

20 By: \_\_\_\_\_

21 ADRIENNE C. PUBLICOVER  
DENNIS J. RHODES  
Attorneys for Defendant  
PRUDENTIAL INSURANCE  
COMPANY OF AMERICA

23 **IT IS SO ORDERED:**

24 Date: November \_\_, 2006

26 By: \_\_\_\_\_

Hon. WILLIAM H. ALSUP  
UNITED STATES DISTRICT COURT JUDGE

28 STIPULATION TO CONTINUE FILING DATE OF MOTION FOR SUMMARY JUDGMENT RE STANDARD  
OF REVIEW

USDC EDCA NO. C06-04028 WHA AD  
249270.1

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2 at which time the Court set November 2, 2006 as the date for Defendant Prudential Insurance  
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13 Date: November \_\_\_, 2006

LAW OFFICES OF TONY ARJO

15 By: \_\_\_\_\_

16 TONY ARJO  
Attorney for Plaintiff  
17 KAREN WALSH

18 Date: November 3, 2006

WILSON, ELSER, MOSKOWITZ,  
EDELMAN & DICKER LLP

19 By: /s/ Dennis J. Rhodes

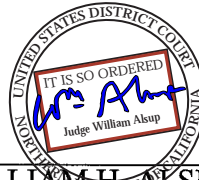
20 ADRIENNE C. PUBLICOVER  
21 DENNIS J. RHODES  
Attorneys for Defendant  
22 PRUDENTIAL INSURANCE  
COMPANY OF AMERICA

23 **IT IS SO ORDERED:**

24 Date: November 6, 2006

25 By: \_\_\_\_\_

26 Hon. WILLIAM H. ALSUP  
UNITED STATES DISTRICT COURT JUDGE



27  
28 STIPULATION TO CONTINUE FILING DATE OF MOTION FOR SUMMARY JUDGMENT RE STANDARD  
OF REVIEW

**PROOF OF SERVICE**

I am a citizen of the United States. I am over the age of eighteen years and am not a party to the within cause. I am employed in the City and County of San Francisco, California and my business address is 525 Market Street, 17<sup>th</sup> Floor, San Francisco, California 94105.

On this date I served the following document(s).

**STIPULATION TO CONTINUE THE DATE FOR FILING  
MOTION FOR SUMMARY JUDGMENT RE STANDARD OF REVIEW  
AND [PROPOSED] ORDER**

on the parties identified below, through their attorneys of record, by placing true copies thereof in sealed envelopes addressed as shown below by the following means of service:

☒ : **By First Class Mail** -- I caused each such envelope, with first class postage thereon fully prepaid, to be deposited in a recognized place of deposit of the U.S. Mail in San Francisco, California, for collection to the office of the addressee following ordinary business practices.

☐ : **By Personal Service** -- I caused each such envelope to be given to a courier messenger who personally delivered each such envelope to the office of the address.

☐ : **By Overnight Courier** -- I caused each such envelope to be given to an overnight mail service at San Francisco, California, to be hand delivered to the office of the addressee on the next business day.

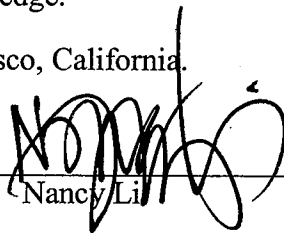
☐ : **Facsimile** -- (Only where permitted. Must consult CCP § 1012.5 and California Rules of Court 2001-2011. Also consult FRCP Rule 5(e). Not currently authorized in ND.CA.)

Tony Arjo, Esq.  
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Oakland, CA 94612  
Tel: (510) 451-2334  
Fax: (510) 451-2310

*Attorney for Plaintiff Karen Walsh*

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct to the best of my knowledge.

EXECUTED November 3, 2006 at San Francisco, California.

  
\_\_\_\_\_  
Nancy Li